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10/085,497	02/26/2002	Mark A. Tschiegg	398624	8699
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LATHROP & GAGE LC 4845 PEARL EAST CIRCLE SUITE 300 BOULDER, CO 80301			RAYYAN, SUSAN F	
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			2177	

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<i>Office Action Summary</i>	Application No.	Applicant(s)
	10/085,497	TSCHIEGG ET AL.
Examiner	Art Unit	
Susan F. Rayyan	2177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 01 March 2002.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-59 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-59 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 01 March 2002 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date .

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ .

5) Notice of Informal Patent Application (PTO-152)

6) Other: ____ .

DETAILED ACTION

1. Claims 1-59 are pending.

Specification

2. The abstract of the disclosure is objected to because it exceeds 150 words in length. Correction is required. See MPEP § 608.01(b).
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-4,6-16,24-42,47-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Innes et al. (US 2002/0198750).**

As per claim 1 Innes anticipates:

A graphical and interactive interface system for managing risk management information a secure database having risk management information accessible by authorized access through a network at pargs.7, 44; and a graphics interface for generating graphic data of the risk management information in response to the authorized access at pargs. 54,58.

Innes teaches a graphical and interactive interface system for managing risk management information a secure database having risk management information accessible by authorized access through a network and a graphics interface for

generating graphic data of the risk management information in response to the authorized access at pargs. 7,44,54,58.

As per claim 2 same as claim arguments above and Innes anticipates: the authorized access comprising user inputs to the graphics interface regarding risk management information at fig.3 and parg.44.

As per claim 3 same as claim arguments above and Innes anticipates: further comprising one or more workflow process terminals connected in network with the database, for providing updates to the risk management information at parg. 7, lines 24-28.

As per claim 4 same as claim arguments above and Innes anticipates: the terminals comprising a computer at parg., lines 25-30.

As per claim 6 same as claim arguments above and Innes anticipates: the database further comprising assistance data accessible concurrently with authorized access of the risk management information parg. 51, i.e. abatement information.

As per claim 7 same as claim arguments above and Innes anticipates: the assistance data comprising loss prevention and control standards and guidelines parg. 51.

As per claim 8 same as claim arguments above and Innes anticipates: first portion of the risk management information being associated with a first company having proprietary interest in the first portion, a second portion of the risk management

information being associated with a second company having proprietary interest in the second portion, the database and interface cooperating to provide access by the first company to the first portion by authorized access while prohibiting access by the second company to the first portion, the database and interface cooperating to provide access by the second company to the second portion by authorized access while prohibiting access by the first company to the second portion at parg.44, Innes's authorized access is similar to Applicant's claimed language.

As per claim 9 same as claim arguments above and Innes anticipates: the risk management information being segmented within the database for association with a plurality of companies having proprietary interest in, and authorized access to, one or more segments of the risk management information at parg. 44.

As per claim 10 same as claim arguments above and Innes anticipates: wherein at least part of the risk management information is encrypted to facilitate the authorized access, and further comprising one or more access computers coupled in network with the graphics interface for accessing the risk management information of the database, each of the computers enabling decryption of the encrypted risk management information with input of appropriate access codes at parg.44 .

As per claim 11 same as claim arguments above and Innes anticipates: further comprising first and second computers coupled in network with the graphics interface, the interface providing the first computer with access to a portion of the risk management information and restricting the second computer from access to the portion at parg.28,44.

As per claim 12 same as claim arguments above and Innes anticipates:
the graphics interface providing one or more filter functions to manipulate the risk
management information for display of graphic data at a computer networked with
the graphics interface at fig.12.

As per claim 13 same as claim arguments above and Innes anticipates:
the display of graphic data occurring without loading of viewing software at the
computer at parg. 54.

As per claim 14 same as claim arguments above and Innes anticipates:
the filter functions comprising one or more of the following: country, city, state, location
identifier, gross site property damage values, property value, total location in
square feet, percent noncombustible construction, percent of noncombustible walls and
roof deck with combustible roof covering, percent of combustible roof, percent of
combustible walls, percent with sprinklers, percent needing sprinklers, survey report
delivery time, estimated annual risk avoidance, cost to complete, last survey date, next
survey year/month due, ATC earthquake zone, sprinkler protection, water supply,
surveillance, warehousing protection, other protection, management programs,
impairments, smoking regulations, maintenance, employee training, new construction,
insurance, pre-emergency planning, private fire brigade, hazardous materials, hot work,
loss prevention inspection, fire protection inspection, hazard evaluation,
housekeeping, outside contractors, FEMA flood zones, windstorm, fire department type,
survey frequency, priority, status, customer intent to complete, and predominant
construction at parg. 58.

As per claim 15 same as claim arguments above and Innes anticipates:
the graphic data comprising one or more reports selected from the group consisting of
fire protection, recommendation summary, loss prevention survey report delivery, loss
prevention survey report schedule, risk quality benchmarking, risk quality rating,
management programs, building construction, catastrophe, active recommendations,
and completion status at parg.58, Innes's chart is similar to Applicant's risk quality
reporting.

As per claim 16 same as claim arguments above and Innes anticipates:
the graphics interface and database forming a web server platform to generate secure
web pages of the risk management information at a computer networked with the
platform and having authorized access to the risk management information at parg.44.

As per claim 24 same as claim arguments above and Innes anticipates:
the database being responsive to inputs by a user with authorized access at a computer
networked with the database to securely store electronic documents with the risk
management information associated with the user at parg.38-39.

As per claim 27 same as claim arguments above and Innes anticipates:
the database comprising a SQL database server at parg.7.

As per claim 28 same as claim language above and Innes anticipates:
the database responsive to electronically received recommendations regarding a
segment of risk management information to post the recommendations with the
segment of risk management information. at parg.33 .

As per claim 29 same as claim arguments above and Innes anticipates:
the graphics interface facilitating interactive recommendations, wherein electronic
recommendations for a segment of risk management information may be stored with
the database for association with the segment of risk management information at
parg.33.

As per claim 30 same as claim arguments above and Innes anticipates:
the graphics interface and user interface providing drill-down linkage between high level
summary and low level explanatory details based upon contributing factors to
that rating at fig. 9.

As per claim 31 same as claim arguments above and Innes anticipates:
the graphics interface generating color-coded graphic data to differentiate decision-
making risk management information at figs. 9,13, Innes implements the use of color as
a means to differentiate data.

As per claim 32 same as claim arguments above and Innes anticipates:
the color-coded graphic data comprising red, yellow, blue and green decision-making
risk management information at figs. 9,13, Innes implements the use of color as a
means differentiate data.

As per claim 33 same as claim arguments above and Innes anticipates:
different colors of the color-coded graphic data being associated with different quality
ratings at figs. 9,13, Innes implements the use of color as a means to differentiate data.

As per claim 34 same as claim arguments above and Innes anticipates:
further comprising means for appending user-generated comments to one or more
segments of the risk management information at parg.33.

As per claim 35 same as claim arguments above and Innes anticipates:
further comprising means for viewing and manipulating recommendations and
associated valuations through the graphics interface and over the network at parg.34,
fig.8.

As per claim 36 same as claim arguments above and Innes anticipates:
further comprising means for selectively switching between cost-benefit analyses,
summaries, and status screens, through the graphics interface and over the network at
fig. 6.

As per claim 37 same as claim arguments above and Innes anticipates:
further comprising means for selectively switching between values associated with
recommendations, through the graphics interface and over the network at parg. Fig.11.

As per claim 38 same as claim arguments above and Innes anticipates:
further comprising means for viewing one or more of the following recommended cost-
benefit analysis information through the graphics interface and over the network:
total loss before implementation of a recommendation, total loss after implementation of
a recommendation, property damage loss before implementation of a recommendation,
property damage loss after implementation of a recommendation, business interruption
loss before implementation of a recommendation, business interruption loss after
implementation of a recommendation, estimated cost to complete, estimated cost to

complete source, estimated probability, estimated probability source, and estimated annual risk avoidance at figs. 11-12.

As per claim 39 same as claim arguments above and Innes anticipates: the estimated annual risk avoidance comprising a factor of [(property loss before implementation of a recommendation+business interruption loss before implementation of a recommendation)-(property loss after implementation of a recommendation+business interruption loss after implementation of a recommendation)]/probability (in years)) at parg. 59, Innes's assessing risk and determination of success or failure of abatements return results similar to the Applicant's estimated annual risk avoidance.

As per claim 40 same as claim arguments above and Innes anticipates: further comprising means for sharing one or more recommendations between users through the interface and over the network at fig.13.

As per claim 41 same as claim arguments above and Innes anticipates: the sharing based upon access and authority levels of accounts, divisions, locations, or individuals at parg. 61.

As per claim 42 same as claim arguments above and Innes anticipates: further comprising means for posting user-generated documents with user-authorized risk management information through the graphics interface and over the network at parg. 59.

As per claim 47 same as claim arguments above and Innes anticipates:

further comprising a workflow engine application connected in network with the database for interfacing between one or more access terminals and the database at parg.28.

As per claim 48 same as claim arguments above and Innes anticipates:
the workflow engine application comprising a rec builder for posting recommendations to the risk management information at parg. 52.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Innes et al. (US 2002/0198750) in view of Gill et al (US 6,005,560).**

As per claim 5 same as claim arguments above and Innes does not explicitly teach the terminals comprising one or more of a facsimile, telephone and scanner however Gill does teach this limitation at col.13, lines 4-13. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to provide an efficient means to load data from external sources:

7. **Claims 17-23,25-26,43-46,49-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Innes et al. (US 2002/0198750) in view of Smyth (US 2002/0087705).**

As per claim 17 same as claim arguments above and Innes does not explicitly

teach the database generating email in response to receipt of an update to the risk management information however Smyth does teach this limitation at parg. 175. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references in order to inform the user of an update and enable the user to access the nature of the change at parg. 175, lines 10-12.

As per claim 18 same as claim arguments above and Smyth teaches:
the database generating email only for authorized user inputs to the risk management information at parg. 175.

As per claim 19 same as claim arguments above and Smyth teaches:
the email being addressed to a user having the authorized access to the risk management information at parg. 175.

As per claim 20 same as claim arguments above and Smyth teaches:
the email having a hyperlink to graphic data of the risk management information at parg. 175.

As per claim 21 same as claim arguments above Innes does not explicitly teach the database generating periodic email defining updates to the risk management information however Smyth does teach this limitation at parg. 175. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references in order to inform the user of an update and enable the user to access the nature of the change at parg. 175, lines 10-12.

As per claim 22 same as claim arguments above and Smyth teaches:

the periodic email being addressed to a user having the authorized access to the risk management information at parg. 175.

As per claim 23 same as claim arguments above and Smyth teaches:
the periodic email having a hyperlink to graphic data of the risk management information at parg. 175.

As per claim 25 same as claim arguments above and Innes does not explicitly teach the electronic documents comprising one or more of loss prevention survey results, risk summaries, and CAD diagrams however Smyth does teach this limitation at parg. 178. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to submit project designs to provide users access to a complete view of the various stages of the project.

As per claim 26 same as claim arguments above and Innes does not explicitly teach the electronic documents comprising one or more CAD diagrams, and further comprising means for automatically converting the CAD diagrams into a graphic image for storage within the database however Smyth does teach this limitation at parg. 178. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to submit project designs to provide users access to information necessary for a complete view of the various stages of the project.

As per claim 43 same as claim arguments above and Innes does not explicitly teach further comprising means for automatically emailing users with notification of modifications in a segment of risk management information, the users having authorized

access to the segment however Smyth does teach this limitation at parg. 175. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references in order to inform the user of an update and enable the user to access the nature of the change at parg. 175, lines 10-12.

As per claim 44 same as claim arguments above and Innes teaches: the modifications comprising posting of a new document to the segment of risk management information at parg. 59.

As per claim 45 same as claim arguments above and Innes does not explicitly teach an email server connected in network with one or more access computers and an email notification application connected in network with the database for automatically sending email notification to the access computers upon updates to the risk management information however Smyth does teach this limitation at parg. 175. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references in order to inform the user of an update and enable the user to access the nature of the change at parg. 175, lines 10-12.

As per claim 46 same as claim arguments above and Smyth teaches: further comprising a workflow engine application connected in network between the database and the email notification application, for interfacing between one or more access terminals and the database at parg. 175.

As per claim 49 same as claim arguments above and Innes does not explicitly teach means for generating email indicating, to authorized users, updates to the risk

management information and means for the users to turn email notification on or off and to self-select email notification frequency however Smyth does teach this limitation at parg. 175. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references in order to inform the user of an update and enable the user to access the nature of the change at parg. 175, lines 10-12.

As per claim 50 Innes teaches:

a database for storing one or more segments of risk management information at parg. 7;
means for augmenting information within one of the segments through a workflow process terminal in network with the database at parg. 33;
wherein the authorized user may access graphical data representing at least part of the segment of risk management information at par. 44, 61.

Innes does not explicitly teach email notification means for communicating email to an authorized user however Smyth does teach this limitation at parg. 175. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references in order to inform the user of an update and enable the user to access the nature of the change at parg. 175, lines 10-12.

As per claim 51 same as claim arguments above and Smyth teaches:

the email notification means comprising an email server connected in network with the authorized user, and an email notification application for interfacing between the database and the email server at parg. 175.

As per claim 52 same as claim arguments above and Innes teaches:
further comprising a workflow engine application for interfacing between one or more
workflow process terminals and the database at parg. 28.

As per claim 53 same as claim arguments above and Innes teaches:
further comprising a security buffer coupled in network between the database and an
access computer of the authorized user, for ensuring only authorized access to the
segments of information at parg. 44.

As per claim 54 same as claim arguments above and Smyth teaches:
the email comprising an Internet link to the augmented information within the one
segment, the buffer automatically checking with the database to ensure that a user
accessing the link has authorized access to the augmented information parg. 175.

As per claim 55 same as claim arguments above and Innes teaches:
further comprising a graphics interface for collating risk management information from
the database into a graphical display for an access computer coupled in network with
the database fig.12.

As per claim 56 Innes teaches:
segmenting risk management information within a database according to access
authorizations at parg. 61;
generating graphical display of a segment of risk management information at an access
computer networked with the database in response to user inputs at the computer and
having appropriate access authorizations at parg.44;

and updating the segment of risk management information in response to data inputs through a workflow process terminal at parg.44.

Innes does not explicitly teach automatically communicating email to the access computer in notification of the data inputs to the segment however Smyth does teach this limitation at parg. 175. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references in order to inform the user of an update and enable the user to access the nature of the change at parg. 175, lines 10-12.

As per claim 57 same as claim arguments above and Innes teaches: the step of automatically communicating comprising the step of sending an Internet link to information within the segment at parg. 29.

As per claim 58 same as claim arguments above and Innes teaches: further comprising the step of automatically verifying authorizations at the database in response to user interaction with the Internet link at par. 29, 44.

As per claim 59 same as claim arguments above and Innes teaches: the step of generating graphical display comprising the step of filtering the segment of risk management information in response to user-selected filtering options at the access computer at fig.12.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (703) 305-0311. The examiner can normally be reached M-F: 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on 703-305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for Official communications, (703) 746-7238 for After Final communications and (703) 746-7240 for Status inquires and draft communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Susan Rayyan



September 27, 2004



ALFORD KINDRED
PRIMARY EXAMINER